

### **REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicants thank the Examiner for carefully considering this application.

#### **Examiner Interview**

Applicants request an interview with the Examiner assigned this application prior to the issuance of another Office Action, should another Office Action be considered necessary.

#### **Disposition of Claims**

Claims 1, 2, 4-11, 13-20, and 22-25 are currently pending in this application. By way of this reply, claims 6 and 15 are canceled. Claims 1, 10, and 19 are independent. The remaining claims depend, directly or indirectly, from claims 1, 10, and 19.

#### **Claim Amendments**

By way of this reply, claims 1, 4, 5, 10, 13, 14, and 19 are amended. Claims 1, 4, 6, 10, 13, 15, and 19 are amended to clarify the scope of the invention. Further, independent claims 1, 10, and 19 are amended to include some limitations of dependent claims 5 and 14. Dependent claims 5 and 14 are also amended to clarify antecedent basis. No new matter is added by way of these amendments. Support for these amendments can be found, for example, in page 4 of the specification.

#### **Rejections under U.S.C. § 103**

The claimed invention is directed to controlling access to resources efficiently and reliably. Requests for access to resources are evaluated based on locally stored policy

decisions in one locality and policy decisions are made in a separate, remote locality, *i.e.*, the remote source of policy definitions. The local storage of policy decisions allows request evaluations to be made efficiently without the necessity of making a policy decision each time a request is received. However, in order to ensure the reliability and accuracy of the locally stored policy decisions that are based on remotely stored policy definitions, notifications with updated versions of policy decisions are received from the remote source of policy definitions based on changes in the corresponding policy definitions. Thus, the claimed invention allows for a single request for a policy decision from a remote source of policy definitions where the received policy decision is stored locally for subsequent use. Thereafter, efficient and reliable evaluation of future requests is provided using locally stored policy decisions or updated versions of the policy decisions.

Claims 1, 2, 4-7, 9-11, 13-16, 18-20, 22, 24, and 25 stand rejected under U.S.C. § 103(a) as being unpatentable over U.S. Pub. No. 2003/0115322 (hereinafter "Moriconi") in view of U.S. Pub. No. 2005/0021818 (hereinafter "Singhal"). Claims 6 and 15 are canceled in this reply. Thus, this rejection is now moot with respect to the canceled claims. To the extent that this rejection may still apply to the remainder of the claims, the rejection is traversed.

To establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), "the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP § 2143.03. Further, "all words in a claim must be considered in judging the patentability of that claim against the prior art." MPEP § 2143.03.

Applicants assert that the references, when combined, fail to teach or suggest all the claim limitations of amended independent claims 1, 10, and 19.

Independent claim 1, as amended, recites, in part,

storing a *policy decision* for a resource in local memory, said policy decision received from a remote source of policy definitions, said policy decision based on a policy definition...

receiving a *notification* from said remote source, said notification comprising an updated version of said policy decision ...

(Emphasis added.) Amended independent claims 10 and 19 recite similar limitations.

Moriconi is directed to a system and method for enforcing security requirements in a distributed network. The system disclosed by Moriconi includes a policy manager on a server in the network that manages a global security policy and an application guard on a client or client server that includes a local client security *policy* derived from the global security policy. Further, the application guard includes an authorization engine that *locally makes* a policy decision to grant or deny each request for access to a securable component based on the local client security policy. *See, e.g.,* paragraphs [0046], [0047], [0075], [0076] of Moriconi. Further, Moriconi discloses the distribution of updated or modified "*policy rules*" from the policy manager to the application guard in order for the *local authorization engine* to *locally make* policy decisions using the updated or modified policy rules. (Emphasis Added). *See* paragraph [0082] of Moriconi. Moriconi does not disclose *any* distribution of *policy decisions* by the policy manager. Clearly there is no need for such a distribution as the policy decisions are made by the application guard, not the policy manager. Therefore, Moriconi cannot possibly disclose

a notification from a remote source of policy definitions that includes an updated version of a *policy decision* as claimed in independent claims 1, 10, and 19.

Singhal does not disclose what Moriconi lacks. Singhal discloses an Application Intermediation Gateway (AIG) that connects a plurality of core network elements to a plurality of network resources such as content providers, third party application providers, and partner portals. The AIG provides access to the network resources by implementing application level policies. The decisions on the application level policies (*i.e.*, policy decisions) are provided to the AIG by a policy decision point. *See, e.g.*, paragraph [0030] of Singhal. *Policy decisions* received by the AIG may be locally cached in a local policy decision store to avoid requesting policy decisions every time from the policy decision point. *See, e.g.*, paragraph [0062] of Singhal. However, Singhal is completely silent regarding what happens if an application level policy at a policy decision point is changed that may affect a policy decision previously provided to the AIG. That is, Singhal does not disclose any type of procedure for updating policy decisions locally cached by the AIG. Thus, Singhal cannot possibly teach or suggest receiving a notification that includes an updated version of a policy decision as claimed in independent claims 1, 10, and 19..

Thus, the combination of Moriconi and Singhal cannot possibly be construed to disclose receiving a notification that includes an updated version of a *policy decision* as required by the independent claims without ignoring express limitations of the claims and/or misconstruing the teachings of the prior art, both of which are wholly improper.

As a final matter, Applicants assert that it is abundantly clear that the Examiner, using the Applicants' claims as a guide, has selected isolated features of Moriconi and Singhal to arrive at the limitations of the claimed invention. Use of the Applicants' claims as a "road map" for selecting and combining prior art disclosures is wholly improper. *See Interconnect Planning Corp. v. Feil*, 774 F.2d 1132 (Fed. Cir. 1985) (stating that "[t]he invention must be viewed not with the blueprint drawn by the inventor, but in the state of the art that existed at the time"); *In re Fritch*, 972 F.2d 1260 (Fed. Cir. 1992) (stating that "it is impermissible to use the claimed invention as an instruction manual or 'template' to piece together the teachings of the prior art so that the claimed invention is rendered obvious... This court has previously stated that 'one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention.'"); *In re Wesslau*, 353 F.2d 238 (C.C.P.A. 1965) (stating that "*it is impermissible within the framework of section 103 to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art*") [Emphasis Added].

When viewed as a whole, Applicants' claimed invention requires the local storage and use of *policy decisions* that are received from a remote source of policy definitions. The Examiner has clearly chosen to pick and chose from Moriconi elements that may support the Examiner's rejections while ignoring the fact that Moriconi *as a whole*, relies on the local storage and use of *policy rules* that are received from a remote source of policy rules. There is no way that one of ordinary skill in the art with full appreciation of

what Moriconi teaches would be led to combine the teachings of Moriconi with the teachings of Singhal without the benefit of having Applicants' claims as a guide.

In view of the above, Moriconi and Singhal, whether considered separately or in combination, fail to teach or suggest all of the limitations of amended independent claims 1, 10, and 19. Thus, independent claims 1, 10, and 19 are patentable over Moriconi and Singhal. Claims 2, 4-9, 11, 13-18, 20, and 22-25 which depend directly or indirectly from independent claims 1, 10, and 19, are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 8, 17, and 23 stand rejected under U.S.C. § 103(a) as being unpatentable over Moriconi in view of Singhal and further in view of U.S. Pat. No. 20040054791 (hereinafter "Chakraborty"). As stated above, Moriconi and Singhal fail to teach or suggest the limitations of independent claims 1, 10, and 19. Applicants assert that Chakraborty does not teach what Moriconi and Singhal lack, as evidenced by the fact that the Examiner relies on Chakraborty solely for the purpose of disclosing a period of time that policy information is valid. See Office Action dated October 2, 2006 at page 11.

In view of the above, Moriconi, Singhal, and Chakraborty fail to teach or suggest all the limitations of independent claims 1, 10, and 19, whether considered separately or in combination. Claims 8, 17, and 23, which depend from independent claims 1, 10 and 19, are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is requested.

**Conclusion**

Applicants believe this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 03226/496001; P9015).

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Respectfully submitted,

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